



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant : Christian D. Hofstader, et al.  
Filed: : 08/12/2004  
TC/A.U. : 2174  
Examiner : Sajeda Muhebbullah  
Docket No. : 1589.10  
Customer No. : 21,901  
For : Screen Reader Having Concurrent Communication of Non-Textual Information.

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PRE-APPEAL BRIEF REQUEST FOR REVIEW

The claims of the instant application have been rejected as anticipated in the final Office Action dated February 24, 2006. It is asserted that one or more essential elements for *prima facie* anticipation have been omitted in the rejection and are lacking in the reference cited by the Examiner. It is therefore respectfully submitted that a *prima facie* case of anticipation has not been made and that the rejection should be withdrawn.

Claim 1 is directed to:

A screen reader software product comprising:

a screen reader module communicatively coupled with resident software on a computer, the reader module adapted to collect textual and non-textual display information generated by the resident software;

a broadcast module communicatively coupled to the reader module, the broadcast module adapted to communicate the display information collected by the reader module to an output device; and

a schema module communicatively coupled to the broadcast module, the schema module adapted to send non- textual display information with associated textual display information to the output device in substantially concurrent fashion.

Thus, a necessary element of the claim is the inclusion of a screen reader module.

The Examiner rejected claims 1-9, 17-21 and 23 under 35 U.S.C. 102(b) in the first Office Action dated August 25, 2005 as being anticipated by Raman et al. (U.S. Patent No. 5,572,625)

A response to the First Office Action was submitted on December 23, 2005. It was pointed out that the Raman reference fails to anticipate the claimed subject matter because the Raman reference does not teach a screen reader module. The phrase "screen reader" is a term of art. Some have defined this as a "text-to-speech system, intended for use by blind or low-vision users, that speaks [or otherwise displays] the text content *of a computer display.*"(emphasis added)<sup>1,2,3</sup> Thus, a screen reader is concerned with the text content, or a specific portion of the text content, *as displayed on a computer screen*. On the first page of the specification it was stated:

Typically, visual information is displayed upon a monitor screen and data can be added or manipulated via keystrokes upon an associated keyboard. Feedback is provided visually to the user by the monitor screen. Blind users cannot utilize the information appearing upon the monitor screen while visually impaired users may experience difficulty doing so. Accordingly, screen readers have been developed to assist blind and visually impaired users when they use a personal computer.

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<sup>1</sup> The Free On-line Dictionary of Computing, © 1993-2005 Denis Howe, accessed on the internet via Dictionary.com on Thursday, November 03, 2005.

<sup>2</sup> See also <http://www.umuc.edu/ade/glossary.html> - "A screen reader is a software program that uses a synthetic voice to read a computer screen out loud. Computer users who are visually impaired or blind often use screen readers to navigate the Web. Two popular screen reader programs are JAWS for Windows and Window-Eyes."

<sup>3</sup> See also <http://www.buffalostate.edu/offices/disabilityservices/glossary.htm> defining screen reader as "a software/hardware system that allows a person with a visual or print impairment to attain access to printed material on a computer screen. Output for the user can be both tactile and/or auditory."

Screen readers therefore are systems that output the contents of the computer screen, or a defined portion thereof, to a user, typically one who is blind or vision-impaired, regardless of the nature of the underlying application. Additionally, they create an interface that allows a user to modify that text. They do not require that application or other document to be converted to a different format to be output. Additionally, it is only that which appears on the screen, or a relevant portion thereof, that is output, not the entire document or application.

The Raman method cited by the Examiner involves the conversion of a source document by a markup language using the recognizer to form a structured internal representation *of the source document*, which is then output in audio format. Raman describes his method as “acoustical typesetting” of the document through the conversion process.<sup>4</sup> The vision-impaired user of such a system is not experiencing that which a corresponding user experiences when viewing a screen, but rather is confronted with an entire stream of the document. The ability of the Raman system to present the audio output to a user is intricately linked to the ability of the recognizer to create the structured internal representation of the digitized source document, whereas a screen reader is manipulating the flow of data as it is output to the screen. The Raman methodology is much different than the implementation of a screen reader and does not create the interface that one would have with a screen reader. The details of the Raman method are discussed more fully in the response to the Office Action dated December 23, 2005 at pages 10 through 12. As an analogy to the differences between the Raman system and a screen reader, one can imagine a 100 page MS Word document or fillable pdf. A system such as Raman would simply output the entire 100 page document from start to finish. In contrast, with a screen reader, if a portion of page 22 of the document was displayed on the screen of a system using a screen reader, the user could have portions of that screen output to the speech synthesizer to enable audio perception. The user could further modify the document at that point through the interface of the screen reader. If the user then wanted to jump to page 45, then that could be accessed and interfaced through the screen reader to the extent that it was display on the screen. In contrast, the Raman system would simply just make audible the entire document from

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<sup>4</sup> See column 4, line 16.

start to finish. Again, modify the underlying document would not be possible with the Raman system. For these reasons, Raman does not teach "A screen reader software product comprising a screen reader module communicatively coupled with resident software on a computer, the reader module adapted to collect textual and non-textual display information generated by the resident software ..." as required by the claim.

A final Office Action dated February 24, 2006 indicated that such arguments were unpersuasive; that "Raman clearly teaches a screen reader which converts text from a computer display to speech intended for use by the visually impaired (col.1, lines 13-21) therefore a screen reader software product with a reader module is taught by Raman."<sup>5</sup>

It is respectfully submitted that Raman does not teach a screen reader as outlined above. Thus, one or more essential elements for a *prima facie* rejection are missing. It is therefore respectfully requested that the rejection be withdrawn upon review via the Pre-Appeal Brief Conference.

### ***Conclusion***

The application is believed to be in condition for allowance, and prompt, favorable action thereon is earnestly solicited.

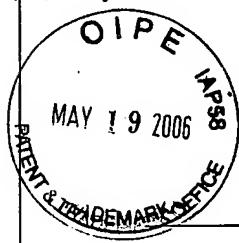
Very respectfully,  
SMITH & HOPEN

Dated: May 15, 2006

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<sup>5</sup> See Office Action dated February 24, 2006 at page 10.

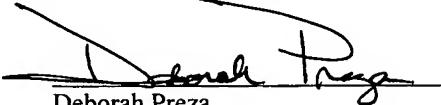


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**(37 C.F.R. 1.8)**

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Date: May 17, 2006



Deborah Preza

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